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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 3819/2000**

V.K. SHARMA

..... Petitioner

Through: **Mr. Daleep Singh, Adv.**

versus

UOI & ORS.

..... Respondents

Through: **Mr. Satyapal Singh, Adv.**

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

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08.03.2013

CM No.8118/2012(for recalling order dated 7.2.2005),
CM No.8119/2012(for condonation of delay) &
CM No. 8120/2012(for amending the memo of parties)

1. This writ petition was dismissed for non-appearance on 7.2.2005. After about seven years, these applications have been filed for restoration and for condonation of delay. The only grounds which are alleged in these applications are that the earlier counsel for the petitioner did not tell him about the case having been listed for hearing and being dismissed in default.

2. The explanation given, in my opinion, is not acceptable because these days the case status is available 24X7 and 365 days of the year on the

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website of the Court. The petitioner also admittedly states that even in 2012 when these applications were filed, he came to know of the dismissal in default through the website. If that be so, there is no reason why for seven years the petitioner did not take steps to restore the petition. No doubt Courts are liberal in condoning the delay and restoring the petitions, however, once the delay translates to negligence and want of action, Courts are not inclined to condone the delay and restore the writ petition.

2. I may note that the writ petition sought quashing of the order of the respondents which showed financial irregularities against the petitioner and the petitioner had also conceded to the misdemeanour, but laid out a case that he was misled to concede the misappropriation.

3. In my opinion, in view of the aforesaid, no grounds are made out for allowing of these applications which are accordingly dismissed.


VALMIKI J. MEHTA, J

MARCH 08, 2013
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